

Read first time and referred to Committee on Judicial Districts.

By Senator Crowley, by consent:

To the Senate and House of Representatives of the Twenty-third Legislature:

Resolved, On behalf of the Galveston bookbinders union, and the bookbinders of the State of Texas in general, we hereby earnestly protest against the consideration by your honorable body of any proposition from parties outside of the State whereby said parties seek to secure or control the printing and binding of the Court Reports of the State of Texas, or any other printing or binding the State may require to have done.

Respectfully submitted,

JOHN HEELAN, President.

Read and referred to Committee on Public Printing.

On motion of Senator Lawhon, Senate adjourned until to-morrow morning at 10 o'clock.

TWENTIETH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Feb. 1, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—27.

Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Bowser,	McComb,
Browning,	McKinney,
Cranford,	Pressler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Swayne,
Goss,	Whitaker,
Greer,	Woods,
Hutchison,	Yoakum.
Jester,	

EXCUSED—4.

Agnew,	Steele,
Imboden,	Tips.

Prayer by the chaplain, Dr. Briggs.
Pending the reading of the journal of yesterday,

On motion of Senator McComb, the reading of the same was suspended.

On motion of Senator Atlee, Senator Goss was excused for non-attendance on last Monday and Tuesday, having been absent on committee work.

On motion of Senator Jester, Senator Greer was excused for non-attendance on last Monday and Tuesday, having been absent on committee work.

Senator Atlee entered a motion to reconsider the vote by which the Senate passed Senate bill No. 66 to its third reading, and the same was ordered spread on the journal.

PETITIONS AND MEMORIALS.

By Senator Whitaker, by request:

A petition signed by 144 citizens of Marion county, Texas, urging the passage of House bill No. 101, restoring the civil jurisdiction to the county court of Marion county.

Read and referred to Committee on Judicial Districts.

By Senator Whitaker, by request:

A petition signed by 150 citizens of Marion county, asking that House bill No. 101, restoring civil jurisdiction to the county court of Marion county be passed.

Read and referred to Committee on Judicial Districts.

By Senator Bowser:

Petition from a number of taxpaying citizens of the city and county of Dallas, asking for an appropriation from the State to aid the Woman's Board of the Columbian Exposition in carrying out its objects in having the State of Texas properly represented at the Columbian Exposition to be held at Chicago.

Read and referred to Committee on Finance.

By Senator Lewis:

Petition from a number of citizens of San Antonio, asking for an appropriation to be made for the Texas exhibit at the World's Fair at Chicago.

Read and referred to Committee on Finance.

By Senator Dickson, by request:

Petition from land holders of Lee county, asking for amendment to stock law.

Read and referred to Committee on Stock and Stockraising.

By Senator Baldwin:

Petition from citizens of Pecos City, asking for an appropriation for the Texas exhibit at the World's Fair.

Read and referred to Committee on Finance.

By Senator Crowley:

Petition from a number of citizens of Galveston, asking for an appropriation for the Texas exhibit at the World's Fair at Chicago.

Read and referred to Committee on Finance.

COMMITTEE REPORTS.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 31, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 89, entitled "An act to amend chapter 3, title 42 of the Revised Civil Statutes of Texas, by adding thereto article 2388a,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it be referred to the Committee on Finance.

CRANFORD, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 31, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 95, entitled "An act to amend article 566, chapter 2, title 20 of the Revised Civil Statutes of Texas, as amended by the Twenty-second Legislature, chapter 101, page 161,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do* pass, with the accompanying committee amendments.

CRANFORD, Chairman.

COMMITTEE AMENDMENTS.

First. Amend by inserting after the word "literary," in subdivision 3, with the words "or scientific."

Second. Amend by inserting after the word "commissioner," in line 11, section 37, the words "of agriculture."

Third. Amend by inserting after the word "commissioner," in line 14, section 37, the words "of agriculture."

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 31, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 56, entitled "An act to be entitled an act to amend sections 2 and 3 of article 2861 of the Revised Civil Statutes of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not* pass.

CRANFORD, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, , 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 308, a bill to be en-

titled "An act to amend section 15 of an act entitled an act to redistrict the State into judicial districts, and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, and to create the Fifty-fifth judicial district, and to fix the time for holding court therein, and provide for the appointment of a district judge for the Fifty-fifth judicial district, and to repeal all laws in conflict with this act,"

Have had the same under consideration, and instruct me to report in back to the Senate with the recommendation that it *do* pass.

ATLEE, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 31, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Counties and County Boundaries, to whom was referred

Senate bill No. 23, entitled "An act to create the county of Reagan out of parts of Coleman, McCulloch and Concho counties, and to provide for its organization,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not* pass.

DEAN, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 31, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 101, entitled "An act to appropriate out of the general revenue of the State the sum of five thousand dollars for the purpose of having a marble statue of General Sam Houston executed, and placed in Statuary hall in the National Capitol at Washington,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do* pass, with the following amendment:

Amend by adding after the word "Houston," in line 3, page 2, the words "of heroic size."

McCOMB, Chairman.

BILLS AND RESOLUTIONS.

By Senator McComb:

A bill to be entitled "An act to authorize the Commissioner of Agriculture, Insurance, Statistics and His-

tory to exhibit at the World's Columbian Exposition at Chicago in 1893 the collection of agricultural, mineral and other specimens of the products of Texas in said offices, or that may be contributed to the State for that purpose; authorize the commissioner to appoint, with the concurrence of the the Governor, a commissioner who may, with his approval, appoint all clerical and other help necessary to transport said exhibit to and from Chicago, care for same while on exhibition, and to make an appropriation therefor."

Read first time and referred to Committee on State Affairs.

By Senator Lewis:

A bill to be entitled "An act to amend article 1333 of the Revised Civil Statutes of the State of Texas."

Read first time and referred to Judiciary Committee No. 1.

By Senator Lewis:

A bill to be entitled "An act to provide for determining the rights of non-residents, persons unknown and transient persons to property in Texas."

Read first time and referred to Judiciary Committee No. 1.

By Senator Shelburne:

A bill to be entitled "An act granting permission to Sarah A. Nichols to bring suit against the State of Texas in the district court of Travis county, to ascertain the amount, if any, the State is indebted to said Sarah A. Nichols, surviving widow of Quilla J. Nichols, on account of the construction of the General Land Office building of Texas."

Read first time and referred to Committee on Claims and Accounts.

By Senator Simpson:

A bill to be entitled "An act to require city and town councils empowered to issue coupon bonds for the purpose of construction or the purchase of public buildings, waterworks and other public improvements, to publish an annual statement of the condition of such bonds."

Read first time and referred to Committee on Towns and Corporations.

By Senator McKinney, by request:

A bill to be entitled "An act to establish and organize a State normal school, to be called Richard B. Burleson Normal Institute, and to locate the same at Rockdale, Texas."

Read first time and referred to Committee on Education.

By Senator Hutchison:

"An act to amend articles 2165, 2166, 2167 and 2181, chapter 28, Revised Civil Statutes, and to add article 2184."

Read first time and referred to Judiciary Committee No. 1.

By Senator Hutchison:

"An act to repeal articles 3276, 3277, 3278, 3279, 3280, 3281, 3282, 3283, 3284, 3285 and 3186, title 64, chapter 3, Revised Civil Statutes."

Read first time and referred to Committee on Military Affairs.

By Senator Kearby:

A bill to be entitled "An act to amend an act passed at the regular session of the Twenty-first Legislature, approved April 4, 1889, amending an act passed at the regular session of the Twentieth Legislature, and approved April 2, 1887, entitled an act to amend article 430 of section 1, and to repeal section 2 of an act entitled an act to amend article 423, 424, 425, 426, 427, 428, 429, 430a, and to create article 426 1-2, and to repeal article 430 of chapter 5, title 13 of the Revised Code of the State of Texas, for the protection of fish and game, approved March 15, 1881."

Read first time and referred to Judiciary Committee No. 2.

By Senator Cranford:

A bill to be entitled "An act to provide a more speedy and efficient remedy for the collection of judgments in certain cases."

Read first time, and referred to Judiciary Committee No. 1.

BILLS ON SECOND READING.

The Chair laid before the Senate special order:

Senate bill No. 19, entitled "An act to establish a board to hear applications for pardon and commutation."

Bill read second time and committee amendments adopted.

By Senator Baldwin:

Amend by adding after section 1 the following, which shall be section 2:

"As soon as appointed the board of pardons shall meet in Austin and organize by electing one of their number chairman. Said board of pardons may appoint a secretary, who shall not receive more than six dollars per day for actual service for time in the employment of said board of pardons. Said secretary shall keep a full and accurate minute of all transactions of the board of pardons."

Lost.

By Senator Greer:

Amend by inserting in section 2, after the word "State" in line 4, the following: "and all applications for remissions of fines and forfeitures."

Adopted.

By Senator Pressler:

Amend by striking out in lines 6 and 7 the words "provided that they shall not receive pay for more than sixty days in any one year."

By Senator Kearby:

Substitute the amendment of Senator Pressler, as follows: Amend by adding to section 3 the following: "Provided, that the first sitting of said board may continue for a term not exceeding ninety days."

Pending action, the following message from the Governor was received:

EXECUTIVE OFFICE,
AUSTIN, TEXAS, Feb. 1, 1893.

To the Senate of the State of Texas:

I ask your advice and consent to the appointment of Jeff Johnson, O. Archer, J. G. Booth, J. K. Holland and L. D. Brooks of Travis county as trustees of the Deaf and Dumb Asylum.

Respectfully,

J. S. HOGG,
Governor of Texas.

The substitute by Senator Kearby was adopted.

The amendment as substituted was adopted.

Pending action, the following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, Feb. 1, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of Senate bill No. 9, "An act to amend article 1272, title 29, chapter 9 of the Revised Civil Statutes of the State of Texas," with an amendment.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

(Senator Browning in the chair.)

By Senator Atlee:

Amend section 2 by adding thereto the following: "Provided, the investigation made by the board shall be directed, not to the record made in the trial court, but only to such matters as were not available as a defense in the trial court; and the recommendation of the board shall not be construed as equivalent to the action of the Governor, nor to restrict nor to direct the action of the Governor in the premises."

Lost.

By Senator Atlee:

Amend section 4 by adding thereto the following: "And shall be and remain in force for two years thereafter and no longer."

Lost.

(Lieutenant-Governor Crane in the chair.)

By Senator Yoakum:

Amend by substituting for section 4 the following:

"Section 4. Whereas, There is now no law on this subject and it is impossible for the Governor of the State to give proper attention to the numerous applications on file in his office, creates an emergency and an imperative public necessity, that the constitutional rule requiring bills to be read on three several days should be suspended and that this act take effect from and after its passage, and it is so enacted."

Adopted.

The bill was then ordered engrossed and passed to its third reading by the following vote:

YEAS—14.

Atlee,	Kearby,
Baldwin,	McComb,
Bowser,	McKinney,
Browning,	Pressler,
Cranford,	Swayne,
Crowley,	Woods,
Dean,	Yoakum.

NAYS—12.

Boren,	Jester,
Dickson,	Lawhon,
Douglass,	Lewis,
Goss,	Shelburne,
Greer,	Smith,
Hutchison,	Whitaker.

EXCUSED—4.

Agnew,	Steele,
Imboden,	Tips.

When Senator Simpson's name was called he arose and stated that he had paired with Senator Imboden, who would have voted for the bill.

IN SENATE.

Senate bill No. 9, "An act entitled an act to amend article 1272, title 29, chapter 9 of the Revised Civil Statutes of the State of Texas,"

Reported from House as having passed with amendments.

The Chair laid before the Senate

Senate bill No. 58, entitled "An act to grant to the Waco Water Power and Electric Company the right to construct and maintain, and by necessary booms or otherwise to protect, and from time to time to raise a dam across the Brazos river, and to purchase, condemn and pay for lands, rights and other property overflowed or injured thereby or necessary therefor," on second reading.

Pending further action, on motion of Senator Baldwin, Senate adjourned until to-morrow 10 a. m.